



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, 41st FIRES BRIGADE
BUILDING 10053 BATTALION AVENUE
FORT HOOD, TX 76544

AFVB-FB-CDR

08 October 2009

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Brigade Command Policy Letter #4 – Equal Opportunity Complaint Procedures

1. REFERENCES.

- a. AR 600-20, Chapters 6 and 7, Appendix D, 11 February 2009.
- b. III Corps & FH Command Policy Letter

2. APPLICABILITY: This policy applies to all 41st Fires Brigade units and personnel.

3. PURPOSE: To provide information concerning the Equal Opportunity (EO) complaint procedure.

4. POLICY: The EO complaint processing system addresses complaints that allege unlawful discrimination or unfair treatment on the basis of race, national origin, color, gender or religion. I want all Soldiers, DA civilians and family members to understand that their complaint will be taken seriously and addressed in a prompt, professional manner. I also want to emphasize that I will not tolerate any acts of reprisal, or attempts to suppress someone who wants to file a complaint. Any Commander or leader receiving an EO complaint will immediately contact their unit Equal Opportunity Leader for assistance.

5. PROCEDURES:

a. Informal complaints: An informal complaint is any complaint that a Soldier, family member, or DA civilian does not wish to file in writing. Informal complaints may be resolved directly by the individual, with the help of another unit member, the Commander, or other person in the complainant's chain of command. Typically, those issues that can be taken care of informally can be resolved through discussion and clarification of the issues. An informal complaint is not subject to time suspense nor is it reportable to the Department of the Army.

b. Formal complaints: A formal complaint is one that a complainant files in writing and swears to the accuracy of the information (DA Form 7279). The 41st Fires Brigade Equal Opportunity Advisor (EOA) will be involved in the initiation and investigation of all formal EO complaints.

(1) Formal complaints require specific actions, are subject to timelines IAW AR 600-20, and require documentation of the actions taken.

(2) Commanders have 72 hours to notify the General Courts-Martial Convening Authority

(GCMCA) with guidance from the 41st Fires Brigade EOA of the nature of the formal EO complaint. Battalion Commanders will notify me directly.

(3) The Commander has 14 calendar days in which to initiate an investigation into the complaint, implement a plan to prevent reprisal, complete the investigation and inform the complainant of the results of that investigation.


(4) If the Commander requires more than the 14 calendar days to complete the investigation, the commander will submit the request for extension in writing to the next higher echelon Commander. This extension will not be more than 30 calendar days. Requests for an extension beyond 30 calendar days must be submitted to the first General Officer in the chain of command. Upon receipt of an extension, the Commander must inform the complainant of the extension, its duration and the reasons for which it was requested.

(5) The Commander will provide written feedback to the complainant not later than the 14th calendar day after receiving the complaint and then provide updates every 14 calendar days until final resolution. Written feedback will be as complete as possible consistent with the limitations of the Privacy Act and the Freedom of Information Act (FOIA).

(6) The Commander will also provide written feedback to the alleged perpetrator on the outcome of the investigation and subsequent actions to be taken by the chain of command.

(7) The EOA will conduct a follow-up assessment of all formal EO complaints, both for substantiated and unsubstantiated complaints, 30 to 45 calendar days following the final decision rendered on the complaint. The purpose of the assessment is to measure the effectiveness of the actions taken and to detect and deter any acts or threats of reprisal.

6. PROPONENT: Should a Soldier, civilian employee, or family member believe that they are a victim of discrimination or sexual harassment, they should immediately present their concerns to their chain command for resolution. They may also contact their unit Equal Opportunity Leader or the 41st Fires Brigade Equal Opportunity Advisor at 287-9576.


JOHN C. THOMSON III
COL, FA
Commanding

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